

Group	Species	Claims
Relief	E. parallelepipedal objects	E. 9
	F. cylindrical craters	F. 11
	G. cylinder objects	G. 13 and 14

Group	Species	Claims
Glazing Combination	H. building trade or street furnishing	H. 28
	I. air, marine or land transportation vehicle	I. 29
	J. screen, lamp, or electronic display	J. 30
	K. furnishing or household electrical appliance	K. 31 and 62

Applicants elect, with traverse, Species B, C, E, and H. Claims 1-4, 6, 7, 8 and 9, 12, 15-18 and 28, 61, 63 read on the elected species. However, Claims 19-26, 32-60, and 64 are withdrawn from consideration.

The Office has failed to meet the burden necessary in order to sustain the Election of Species Requirement. This case is a 371 of PCT/FR00/010551, filed April 20, 2000. However, the Examiner did not present a proper case under the PCT Rules. All the examiner has cited is 35 U.S.C. 121 which does not apply to national stage applications.

In addition, the Office has not applied the same standard of unity of invention as the International Preliminary Examination Authority. The Authority did not take the position that unity of invention was lacking in the international application and examined all claims together. A copy of the International Preliminary Examination Report is attached herewith. Applicants note that PCT Article 27(1) states that no national law shall require compliance with requirement relating to the form and contents of the international application different from or additional to those which are provided for the Patent Cooperation Treaty and the Regulations. In light of PCT Article 27(1) and 37 C.F.R. §145 and §1.499, it is apparent that when the International Preliminary Examination Authority finds no objection based on lack of unity of invention, there is a special burden on the Office to explain why its conclusions

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are diametrically opposed to those of the International Preliminary Authority, as approved by treaty.

Moreover, the MPEP in §803 states as follows:

"If the search and examination of an entire application can be made without a serious burden, the Examiner must examine it on the merits, even though it includes claims to distinct or independent inventions."

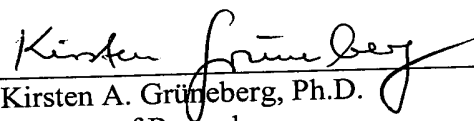
Applicants respectfully submit that a search of all the claims would not impose a serious burden on the Office. In fact, the International Searching Authority has searched all of the claims together.

Accordingly, and for the reasons presented above, Applicants submit that the Office has failed to meet the burden necessary in order to sustain the Election of Species Requirement. Withdrawal of the Election of Species Requirement is respectfully requested.

Applicants respectfully submit that the above-identified application is now in condition for examination on the merits, and early notice of such action is earnestly solicited.

Respectfully submitted,

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